

01263.000412.1

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eli Tzirkel-HANCOCK, et al.

Application No.: 09/359,912

Filed: July 26, 1999

For: APPARATUS, METHOD AND  
COMPUTER READABLE  
MEMORY MEDIUM FOR  
SPEECH RECOGNITION USING  
DYNAMIC PROGRAMMING

: Examiner: A. Armstrong

: Group Art Unit: 2654

) January 15, 2004

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JAN 16 2004

Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

## RESPONSE TO, AND REQUEST FOR WITHDRAWAL OF, NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Applicants are in receipt of a Notice of Non-Compliant Amendment dated December 15, 2003. The Notice states that the “amendment document” filed on August 5, 2003 is considered non-compliant for failing to meet the requirements of 37 C.F.R. 1.121, as amended on June 30, 2003.

Applicants respectfully submit that this Notice was issued erroneously because no Amendment was filed on August 5, 2003. The paper filed August 5, 2003 was merely a

Request for Status of Application, not an amendment. Specifically, the Request inquired about the status of a previously-filed Preliminary Amendment. The Request included a courtesy copy of a Preliminary Amendment filed February 4, 2002 (which Amendment had been subsequently re-executed and re-submitted on October 1, 2002 in a Response to Office Communication, along with a marked-up copy of the claims). Attached is a copy of the August 5, 2003 Status Request and of the postcard accompanying it, bearing a date stamp of the U.S. Patent and Trademark Office.

Since the Preliminary Amendment was filed before the current requirements of 37 C.F.R. 1.121 came into force, Applicants submit that the Preliminary Amendment is in the proper format. Accordingly, Applicants request withdrawal of the Notice and consideration of the October 1, 2002 Preliminary Amendment, which complies with the rules in effect when it was filed.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

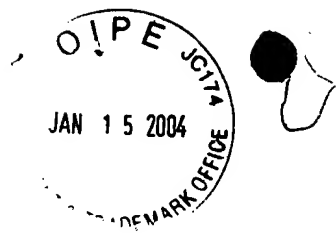
Respectfully submitted,



Attorney for Applicants  
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: R. Dorvil
ELI TZIRKEL-HANCOCK, ET AL.	)	
	:	Group Art Unit: 2641
Application No.: 09/359,912	)	
	:	
Filed: July 26, 1999	)	
	:	
For: APPARATUS, METHOD AND	)	August 5, 2003
COMPUTER READABLE	:	
MEMORY MEDIUM FOR	)	
SPEECH RECOGNITION USING	:	
DYNAMIC PROGRAMMING	)	
(As Amended)	:	

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JAN 16 2004

Technology Center 2600

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

REQUEST FOR STATUS OF APPLICATION

Sir:

Applicants respectfully request that a status of the above-identified application be provided to Applicants' undersigned attorneys.

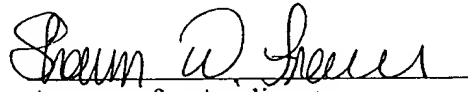
8/5/03 A Request for Continued Examination (hereinafter "RCE") was filed on February 4, 2002, together with a Preliminary Amendment, and Response to Notice of Publication Fee Due and a check in the amount of \$956.00 (including additional claim fee). A copy of the RCE, Preliminary Amendment, Response to Notice of Publication Fee Due and

stamped postcard bearing the Patent and Trademark Office stamp, is attached for the Patent Office's convenience.

To date, Applicants have not received an Official Action in connection with the above-identified application in response to the RCE, Preliminary Amendment and Response to Notice of Publication Fee Due. In this regard, it is respectfully requested that the U.S. Patent and Trademark Office provided Applicants' undersigned attorneys with the current status of the application at the earliest convenience. The status may be forwarded to Applicant's undersigned attorneys at the below-listed address.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Attorney for Applicants  
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